

Illinois Department of Natural Resources

Comment 1: Continued efforts should be made to use bridge structures in areas of wetlands and Illinois chorus frog habitat that occur on the western edge of the Beardstown Marsh and south of the Illinois River bridge. Consider installation of water control structures around the Beardstown Marsh to control the hydrology, in the event that this site would in the future come under a conservation effort to maintain its' aquatic integrity.

Response 1: Bridge structures, rather than culverts, are proposed wherever there are water/wetland crossings in the Beardstown Marsh area. Specifically, there are two locations where bridges have been used:

- Sta.69+759 (crossing Wetland Site 19)--duel bridges approximately 170 meters (561 feet) length each.
- Sta.70+411 (crossing Wetland Site 30)--this bridge will tie to the river crossing bridge. It is about 100 meters (328 feet) long.

The Beardstown Marsh is largely held in private ownership. The placement of water control structures on private property for the purposes of maintaining the long-term aquatic integrity of the marsh is viewed by IDOT as a potential liability. The concern is related to the potential for an incident caused by the improper management of the water control structures that could endanger private property or life.

Comment 2: The proposed road corridor impacts what is considered to be the buffer area of the Beardstown Marsh INAI site and all impacts within this area should be mitigated at the higher ratio of 5.5:1.

Response 2: The Implementing Procedures for the Interagency Wetland Policy Act of 1989 does not consider buffer areas to be subject to higher mitigation ratios. Therefore, the mitigation ratios as depicted in the DRAFT EIS are correct.

Regarding the off-site wetland compensation site (Wessel Property), we note that this is considered to be an accepted IDNR wetland mitigation area for this project pending approval of the Mitigation Banking Instrument by the Mitigation Bank Review Team (MBRT) The review team includes: US Environmental Protection Agency, US Fish and Wildlife Service, Illinois Department of Natural Resources, and US Army Corps of Engineers – St. Louis and Rock Island.

grandibracteata). The condition of the sand prairie on the landfill site is degraded but improving with increasing time since waste deposition has ceased. Threatened and endangered plant populations appear to be stable to increasing. Large chorus frog populations utilize on-site sand ponds and ponds on adjacent land parcels. Regal fritillary surveys have shown numbers on this site to be exceptionally high as compared to other surveyed areas. Mud turtles have been trapped on this site since 1997, though no firm population figures have been determined. However, in early Summer 1999, a small juvenile was captured and released here, suggesting recent reproduction in this population; one of the only mud turtle sites in the state to show such growth.

The Office of the Attorney General of Illinois, the Illinois Environmental Protection Agency (IEPA), and the Illinois Department of Natural Resources (IDNR) are currently in negotiations involving the donation of the landfill. The negotiations involve concerns regarding remediation issues and ownership liability. If each organization's needs are met, the property will be donated to the IDNR and managed for the sensitive species existing there.

A 40-acre parcel immediately adjacent and to the south of the landfill site is owned and managed by New Dominion and contains sand prairie blowout areas and dunes. Mud turtles located on the landfill site are suspected to use the New Dominion-owned parcel as an aestivation site. The combination of the landfill and the adjacent New Dominion property would provide essential breeding and hibernating habitat for the sensitive species. A conservation easement is being pursued by New Dominion. Acceptance of the proposed easement is being requested of the Illinois Nature Preserves Commission (INPC) and the Illinois Department of Natural Resources (IDNR) for finalization of the easement. IDNR staff are currently drafting documents to present to the INPC regarding the natural resources and the management of those resources present on the easement property and the landfill property.

Additional parcels to the south-southwest of the landfill site, currently under other private ownership, contain cattail wetlands and sand prairie. These parcels represent excellent potential expansion sites for a proposed mud turtle reserve, and present opportunities to restore and manage a significant acreage of rare sand prairie habitat.

Mitigation Measures and Commitments:

The Mitigation Measures and Commitments on pages 4-69 through 4-75 adequately address the impacts to natural resources and the efforts to compensate for their loss. It is especially important as the final design phase is implemented to continue minimizing these impacts by narrowing the overall highway width to its least intrusive design on the natural resources.

Summary:

Based on the information provided in the DEIS, the Department of Natural Resources (IDNR) would recommend that Alignment "E" be pursued as the final alternate because of less adverse impacts to environmentally sensitive areas.

Illinois Department of Natural Resources

Comment 3: IDNR is currently in negotiations involving donation of the former Lewis Landfill in Cass County, near Beardstown, as well as a conservation easement on a 16-hectare (40-acre) parcel immediately adjacent and to the south of the landfill site. Additional parcels to the south-southwest of the landfill site represent excellent potential expansion sites for a proposed mud turtle reserve, among other mitigation uses.

Response 3: IDOT's selection of Alternative E would avoid direct impact to a number of threatened and endangered species along Alternative A. The selection of Alternative E, however, would still potentially impact the Illinois chorus frog habitat in the Beardstown area. These potential impacts to the Illinois chorus frogs could benefit by a mitigation site in the vicinity of the Lewis Landfill. The IDOT recommends that a more detailed study of Illinois chorus frogs in the project area be conducted in order to determine the extent of the impact and the suitability of the Lewis Landfill area for mitigation.

Comment 4: Recommend that Alignment E be pursued as the final alternative because of less adverse impacts to environmentally sensitive areas.

Response 4: Your support of Alternative E as the preferred alternative is noted, and is consistent with IDOT's selection.

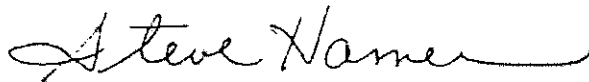
The Illinois Department of Natural Resources (IDNR) also recommends that the Illinois Department of Transportation make application for an Incidental Take Permit based on the information provided in the Draft EIS. Reference is made on pages 4-46 through 4-49 that both alignments have several listed animal species that will be directly impacted. The Department (IDNR) considers the take of Illinois chorus frogs to be very likely with either alternative. The need for other species to be included in the incidental take authorization will depend on the alternative chosen and will require a closer evaluation to determine the likelihood of take. The need to consider the potential incidental take of listed plant species will need to be addressed although IDOT will own the corridor within which the road is built. The application process can take six months to process, therefore you will need to initiate this permit as early as possible to meet your project schedule.

5

In keeping with the resource policies established by the Illinois Department of Natural Resources (IDNR), the Interagency Wetland Policy Act allows a three year time period for wetland impact determinations and wetland compensation plans to be implemented before having to be re-evaluated. This same three year time period applies to the reviews for compliance with the state Endangered Species Protection Act and resource studies relative to the project.

Thank you for the opportunity to review the Draft Environmental Impact Statement. If you have any questions on the above, please contact me at 217-785-5500.

Sincerely,



Steve Hamer
Transportation Review Program
Division of Natural Resource Review

cc: File
John Betker/USACOE
Steve Davis/IDNR
Tom Flattery/IDNR
Carolyn Grosboll/INPC

Glen Kruse
Mike MacMullen/USEPA
Richard Nelson/USFWS
Charles Perino/IDOT

Illinois Department of Natural Resources

Comment 5: Recommend that IDOT make application for an Incidental Take Permit (Incidental Taking of Endangered or Threatened Species, 17 Ill. Adm. Code 1080). The permit takes about 6 months to process, therefore it should be initiated as early as possible.

Response 5: IDOT intends to make application for an "Incidental Take Permit". This will be secured in the next phase of work.



DEPARTMENT OF THE ARMY
ROCK ISLAND DISTRICT CORPS OF ENGINEERS
CLOCK TOWER BUILDING - P.O. BOX 2004
ROCK ISLAND, ILLINOIS 61204-2004

August, 2001

Planning, Programs, and
Project Management Division

Mr. Larry Martin
Environmental Lead
CHEM Hill
8501 West Higgins Road
Suite 300
Chicago, Illinois 60631-2801

Dear Mr. Martin,

I received your letter dated July 19, 2001, with the enclosed Draft Environmental Impact Statement (DEIS) for U.S. 67 (FAP 310) between Jacksonville and Macomb, Illinois. Rock Island District staff reviewed the DEIS you provided. Coordination for this project with our regulatory staff is ongoing and should be maintained to assure that your project complies with Federal regulations. } 1

No other concerns surfaced during our review. Thank you for the opportunity to comment on your proposal. If you need more information, please call Mr. Randy Kraciun of our Economic and Environmental Analysis Branch, telephone 309/794-5174.

You may find additional information about the Corps of Engineers' Rock Island District on our web site at <http://www.mvr.usace.army.mil>. To find out about other Districts within the Corps of Engineers, you may visit web site: <http://www.usace.army.mil/divdistmap.html>.

Sincerely,

Kenneth A. Barr
Chief, Economic and Environmental
Analysis Branch

US Army Corps of Engineers - Rock Island

Comment 1: Coordination for this project with the USACOE should be maintained to assure that the project complies with Federal regulations.

Response 1: We will continue to coordinate with your agency regarding this project to assure that it complies with Federal regulations.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

217/782-0547

August 16, 2001

Mr. Larry Martin
Environmental Lead
CH2MHILL
8501 W. Higgins Road
Suite 300
Chicago, IL 60631-2801

Re: U.S. 67 (FAP 310) Draft Environmental Impact Statement
Between Jacksonville and Macomb
Morgan, Cass, Schuyler, and McDonough Counties, Illinois

Dear Mr. Martin:

Thank you for the opportunity to comment on the Draft Environmental Impact Statement (EIS) for improvements to U.S. 67 from Jacksonville to Macomb.

The Agency has no objections to the project; however, an NPDES construction stormwater permit will be required from the Division of Water Pollution Control (DWPC). Please contact Alan Keller at 217/782-0610 for specific permit requirements. Additionally, please contact the Army Corps of Engineers for any permit requirements for dredge and fill activities under Section 404 of the Clean Water Act. } 1

The Agency has not completed its review of the Draft EIS. However, a more detailed review will be done at the time a 401 Water Quality Certification is applied for in conjunction with the U.S. Army Corps of Engineers Section 404 permit. Please contact Bruce Yurdin, DWPC, at 217/782-3362 for further information about this aspect of the Agency's review.

Sincerely,

Bernard P. Killian

Bernard P. Killian
Deputy Director

cc: Victor Modeer, IDOT
Norman Stoner, IDOT

GEORGE H. RYAN, GOVERNOR

Illinois Environmental Protection Agency

Comment 1: An NPDES construction stormwater permit will be required from the Division of Water Pollution Control (DWPC).

Response 1: We note your comment that an NPDES permit will be required for this project. It is expected that this will be secured in the next phase of work, and we will continue to coordinate with your agency regarding this project.